

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:02CV140-H**

JAMES C. GRAHAM,)
)
Plaintiff,)
)
v.)
)
MERCHANTS METALS, INC.,)
)
Defendant.)

ORDER

THIS MATTER is before the Court on the parties' "Joint Motion To Dismiss With Prejudice" (document #76) filed August 5, 2005. The Joint Motion is hereby **GRANTED**, that is, the above-entitled matter is **DISMISSED WITH PREJUDICE**.

PROVIDED FURTHER, per agreement of the parties, each shall bear their own costs and attorney fees.

The Clerk is directed to send copies of this Order to counsel for the parties.

SO ORDERED.

Signed: August 8, 2005

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

